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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/682,522
Filing Date: September 14, 2001
Appellant(s): COOPER ET AL.

MAILED

MAY 07 2008

GROUP 3600

John S. Le Roy (reg. no. 48,158)
For Appellant

EXAMINER'S SUPPLEMENTAL ANSWER

This is in response to the remand for supplemental examiner's answer in the decision
on appeal 2007-3763 decided January 24, 2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(2) Related Appeals and Interferences

This supplemental examiner's answer is in response to a REMAND from appeal 2007-3763 of the present application, for reconsideration of claims 1, 3-18, and 20 under 35 USC § 103 as to whether it would have been obvious to modify Cirinna in view of Core Web Programming, and for reconsideration of claims 19 and 22 under 35 USC § 103 as to whether it would have been obvious to modify Cirinna in view of Core Web Programming and Wagorn.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Cirinna et al. (US 2002/0173973)

Wagorn et al. (US 2002/0002509)

"Core web programming" by Marty Hall, Prentice Hall Publishers, 1998

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cirinna et al (US2002/0173973) (hereinafter Cirinna) in view of "Core web programming" by Marty Hall, Prentice Hall Publishers, 1998 (hereinafter Core Web Programming).

As per claim 1, Cirinna teaches a website to:

retrieve an employee identification credential from a client computer (13) where the employee credential includes an employee name and function attribute (58);

present human resource information and services to the client (claim 11), at least one of which is access to the employee's personal data of record (76) which are based upon the employee identification credential (76); and

receive input from the client updating the employee's personal data of record (claim 17, perform employment-related function).

Cirinna fails to explicitly disclose that the employee identification credential is retrieved "in response to the client's HTTP request." Instead, Cirinna teaches a conventional authentication where a user manually submits his or her identifying information (¶ 57).

However, Core Web Programming teaches the use of cookies "to supply a user-id and/or password that the user need not retype in later sessions." Core Web Programming at 900. Such cookies are used "in future requests to the same server." Id. When a client computer submits an HTTP request for a web server, the server retrieves the identification information stored on the cookie (such as user-id and

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password) to affect a login without a user having to retype information in later sessions.

Core Web Programming demonstrates that the use of cookies to supply employee identification credentials in response to an HTTP request at a website is well known in the art.

It would have been obvious to a person having ordinary skill in the art at the time of invention to modify the website login in Cirinna to use cookies to supply a user-id and/or password after an HTTP request, as disclosed in Core Web Programming. As taught in Core Web Programming, it is within the capabilities of one of ordinary skill in the art to use cookies to supply a user-id and/or password after an HTTP request, with the predictable result of not having to type in a user-id and password to login each time a user visits the website.

As per claim 3, Cirinna teaches the human resource information and services presented additionally comprise employment benefits information and services (76, benefits).

As per claim 4, Cirinna teaches one of the employment benefits services comprises an interactive retirement earnings estimation (76, compensation and employee data).

As per claim 5, Cirinna teaches the employment benefits information comprises the employee's total compensation (76, compensation).

As per claim 6, Cirinna teaches the human resources information and services additionally comprise employee compensation information of record (76, employee data).

As per claim 7, Cirinna teaches the human resource information and services presented additionally comprise vehicle lease and purchase information and services (76, employee discounts).

As per claim 8, Cirinna teaches the vehicle purchase service comprises an interactive vehicle lease and purchase transaction (76, online benefits).

As per claim 9, Cirinna teaches the human resource information and services comprising life events and support information (76, benefits).

As per claim 10, Cirinna teaches the human resource information and services comprise management information and services which are presented to employees having an employee identification credential containing a management employment function attribute (76, workforce management).

As per claim 11, Cirinna teaches the information comprises employee data for all subordinates to the manager accessing the website (76, workforce management).

As per claim 12, Cirinna teaches additional configuration to receive input updating a subordinate employee's job data (70, personnel management).

As per claim 13, Cirinna teaches the information and services comprise professional development information and services (76, training).

As per claim 14, Cirinna teaches professional development information comprises employee education and training class information and schedules (70, training).

As per claim 15, Cirinna teaches the professional development services comprise interactively registering an employee for an employee education or training class (76, web seminars).

As per claim 16, Cirinna teaches the professional development information comprising an employee's education training history (76, training).

As per claim 17, Cirinna teaches presenting an employee manager with the training history of all the manager's subordinates (70, training).

As per claim 18, Cirinna teaches the information and services comprise employment policy and program information (70, knowledge).

As per claim 20, Cirinna teaches a server connected to a human resource database and serving the website to a plurality of client computers via a network (paragraph 12-13), the server configured to: retrieve employee identification credential from a client computer in response to a client's HTTP request at the human resource website wherein the credential includes an employee name and role attribute (paragraph 43 and (76)); serve human resource information and services to the client, at least one of which comprises access to the employee's personal information record (Figure 3) wherein the information and services are presented based upon the credential (paragraph 43); and receive input from the client updating the personal information record (76).

Claims 2 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cirinna in view of Official Notice as supported by "Core web programming" by Marty Hall, Prentice Hall Publishers, 1998 (hereinafter Core Web Programming).

As per claims 2 and 21, Cirinna does not explicitly teach a cookie that contains the employee identification credential (Official notice is taken that both the concept and the advantage of utilizing a cookie with an interactive website is well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a cookie in conjunction with an interactive website to facilitate the storage and retrieval of information).

Claims 19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cirinna in view of Wagorn et al. (US 2002/0002509) (hereinafter Wagorn) and Core Web Programming.

As per claim 19 and 22, Cirinna does not explicitly teach a server redirecting based upon language attribute to another information site in the designated language of the attribute. Wagorn teaches that it is known to use a central database which diverts to another database in a different language based upon information submitted by the user (see Figure 4 and paragraphs 146-148) for the purpose of accommodating the language preference of the user. Wagorn is an analogous art in that it also teaches web services that access databases based upon the user input. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the web

system of Cirinna with the language adaptability system of Wagorn for providing the information in the user preferred language.

Furthermore, Cirinna fails to explicitly disclose that the employee identification credential is retrieved "in response to the client's HTTP request." Instead, Cirinna teaches a conventional authentication where a user manually submits his or her identifying information (§ 57).

However, Core Web Programming teaches the use of cookies "to supply a user-id and/or password that the user need not retype in later sessions." Core Web Programming at 900. Such cookies are used "in future requests to the same server." Id. When a client computer submits an HTTP request for a web server, the server retrieves the identification information stored on the cookie (such as user-id and password) to affect a login without a user having to retype information in later sessions. Core Web Programming demonstrates that the use of cookies to supply employee identification credentials in response to an HTTP request at a website is well known in the art.

It would have been obvious to a person having ordinary skill in the art at the time of invention to modify the website login in Cirinna to use cookies to supply a user-id and/or password after an HTTP request, as disclosed in Core Web Programming. As taught in Core Web Programming, it is within the capabilities of one of ordinary skill in the art to use cookies to supply a user-id and/or password after an HTTP request, with the predictable result of not having to type in a user-id and password to login each time a user visits the website.

(10) Response to Argument

The new ground of rejection set forth in section (9) has not been previously addressed by appellant. Therefore, there are no arguments to address.

(11) Related Proceeding(s) Appendix

Copies of the court or Board decision(s) identified in the Related Appeals and Interferences section of this examiner's answer are provided herein.

For the above reasons, it is believed that the rejections should be sustained.

This examiner's answer contains a new ground of rejection set forth in section (9) above. Accordingly, appellant must within **TWO MONTHS** from the date of this answer exercise one of the following two options to avoid *sua sponte* **dismissal of the appeal** as to the claims subject to the new ground of rejection:

(1) **Reopen prosecution.** Request that prosecution be reopened before the primary examiner by filing a reply under 37 CFR 1.111 with or without amendment, affidavit or other evidence. Any amendment, affidavit or other evidence must be relevant to the new grounds of rejection. A request that complies with 37 CFR 41.39(b)(1) will be entered and considered. Any request that prosecution be reopened will be treated as a request to withdraw the appeal.

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(2) **Maintain appeal.** Request that the appeal be maintained by filing a reply brief as set forth in 37 CFR 41.41. Such a reply brief must address each new ground of rejection as set forth in 37 CFR 41.37(c)(1)(vii) and should be in compliance with the other requirements of 37 CFR 41.37(c). If a reply brief filed pursuant to 37 CFR 41.39(b)(2) is accompanied by any amendment, affidavit or other evidence, it shall be treated as a request that prosecution be reopened before the primary examiner under 37 CFR 41.39(b)(1).

Extensions of time under 37 CFR 1.136(a) are not applicable to the TWO MONTH time period set forth above. See 37 CFR 1.136(b) for extensions of time to reply for patent applications and 37 CFR 1.550(c) for extensions of time to reply for ex parte reexamination proceedings.

Respectfully submitted,

William V. Saindon



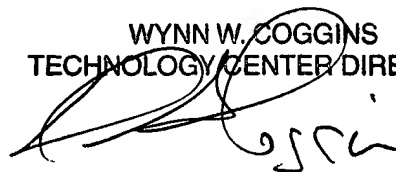
A Technology Center Director or designee must personally approve the new ground(s) of rejection set forth in section (9) above by signing below:

Conferees:

Vincent Millin



WYNN W. COGGINS
TECHNOLOGY CENTER DIRECTOR



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Beth Van Doren

A handwritten signature in black ink, appearing to read 'Bvd', written over the printed name 'Beth Van Doren'.

Appendix - Related Proceedings

Appeal 2007-3763

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Decided January 24, 2008